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and unambiguous – it pertains to the shape or form of a cylinder. See also Webster's Third New International Dictionary (1993) at page 565 (copy attached for the Examiner's convenience). The surface of a cylinder, of course, is formed by the points that are at a fixed distance from a straight line, the axis of the cylinder. See also the definition of a cylinder in Webster's Third New International Dictionary (1993) at page 565.

Pisharodi, regardless of the terminology utilized, does not show the claimed configuration. The elongated implant shown by Pisharodi is not cylindrical. See, for example, the description in Pisharodi at col. 4, lines 3-6 and FIGS. 1, 3, 4, 6 and 8-12. The implant shown by Pisharodi also does not show anchors on the exterior of a cylindrical cage.

In contradistinction, the shape of the claimed stabilizer cage is unequivocally cylindrical as shown in FIG. 18 that illustrates the elected species. FIG. 18 has indeed a cylindrical elongated body 181.

Also, Pisharodi does not show a cage (88) as contended by the Examiner. Instead, there is shown an oviform insert 68 (FIGS. 6 & 9) held in place on applicator 66 by wedge-shaped key 88. See, for example, col. 8, lines 26-53.

Claim 11 is directed to an embodiment where the cylindrical body of the cage terminates in a distal end that is generally bullet-shaped. Pisharodi does not show such a cage configuration.

Claim 12 is directed to an embodiment where the cylindrical body of the cage terminates in a distal end that is generally rounded. Pisharodi does not show such a cage configuration.

Regarding claims 15 and 36, these claims call for a plurality of spikes that extend outwardly from the outer surface of the cage body. Legend 96 in Pisharodi identifies threads in the cage body (col. 5, line 5) not spikes that extend outwardly from an outer surface of the cage body as presently claimed.

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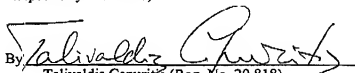
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The foregoing discussion amply distinguishes the present claims from the applied reference. This application is deemed to be in condition for allowance. Early passing of this application to issue is solicited.

Respectfully submitted,

January 22, 2009


By 
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Enclosure: Webster's Third New International Dictionary (1993), p. 565 (3 pp.)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this RESPONSE UNDER RULE 111, together with enclosure, is being transmitted by facsimile transmission to Fax No. 571-273-8300 on January 22, 2009.


Talivaldis Cepuritis (Reg. No. 20,818)